



11/11 161
Docket No.: K21722USWO (C038435/0191317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Elger FUNDA and Torsten HUBER) Examiner: Ivan Greene
Serial No.: 10/551,197) Art Unit: 1619
Filed: September 27, 2005)
For: **POWDEROUS FORMULATIONS OF**)
FAT-SOLUBLE ACTIVE)
INGREDIENTS)

New York, New York
May 11, 2009

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (a form PTO/SB/08 listing the documents is enclosed). These documents were cited an INFORMATION DISCLOSURE STATEMENT filed January 13, 2006 ("IDS"), and in the Examiner's NOTICE OF REFERENCES CITED which is appended to the FIRST OFFICE ACTION issued October 28, 2008 by the U.S. Patent and Trademark Office in co-pending U.S. Application Serial No. 10/564,635, which was filed on January 13, 2006 ("the '635 Application"). It is noted that the '635 Application was cited by the Examiner as a basis for an obviousness-type double patenting rejection in the present application in Paper

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No. 20081014 (page 11). A copy of the October 2008 Office Action in the '635 Application is enclosed.

U.S. PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>
A2	2,897,118	7/1959
A3	4,395,422	7/1983
A4	4,921,705	5/1990
A5	5,127,953	7/1992
A6	5,153,177	10/1992
A7	5,356,636	10/1994
A8	5,853,761	12/1998
A9	6,455,273	9/2002

FOREIGN PATENT DOCUMENTS

	<u>Document No.</u>	<u>Date</u>	<u>Country</u>
B2	EP 0 982 038	3/2000	Europe
B3	EP 1 064 853	1/2001	Europe
B4	EP 0 603 726	6/1994	Europe
B5	GB 849,787	9/1960	GB
B6	SU 1335243	9/1987	U.S.S.R

OTHER DOCUMENTS

- C3 EP 0982038, machine translation of German patent document from espacenet.
- C4 Doxastakis, G; Kiosseoglou V.; Novel Macromolecules in Food Systems (2000); Elsevier; Lupin Seed Protein, pages 7-38

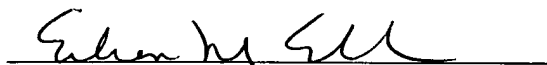
This Supplemental Information Disclosure Statement is being filed in accordance with the provisions of 37 C.F.R. § 1.97(c)(2) before the mailing date of any

final action, before a notice of allowance, or before an action that otherwise closes prosecution in the application, and is accompanied by the fee set forth in 37 C.F.R. § 1.17(p). Enclosed is a check in the amount of \$180.00 to cover the fee. The Commissioner is authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

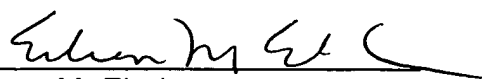
All documents cited in these reports are identified herein and copies of all documents, other than the U.S. patent documents, are provided. See MPEP § 609(III)(A)(2)(A) (8th Ed., Rev. 2, May 2004, p. 600-128).; See also 1276 OG 55 (August 5, 2003) (Waiving the requirement under Rule 98(a)(2)(1) to provide a copy of each cited U.S. patent document for any application filed after June 30, 2003).

The Examiner's independent consideration of these documents and their relevance before issuance of the next official action is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying form PTO/SB/08 to evidence such consideration.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450, on May 11, 2009.


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Respectfully submitted,

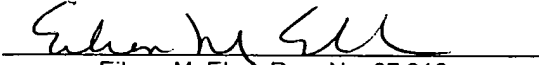
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